

certificate of registration in any vehicle providing transportation within the scope of the statute.

(c) Form OP-2 may be obtained at any of the FHWA Regional Offices or by contacting the FHWA's Office of Motor Carriers Section of Licensing.

[50 FR 20773, May 20, 1985, as amended at 54 FR 42959, Oct. 19, 1989; 62 FR 15421, Apr. 1, 1997]

#### **§ 368.4 Information on Form OP-2.**

(a) Applicants must furnish all information required on Form OP-2 by completing all spaces on the form and providing any necessary attachments. Failure to do so will result in rejection of the application.

(b) Notarization of the application is not required; however, applicants are subject to applicable Federal penalties for filing false information.

[50 FR 20773, May 20, 1985]

#### **§ 368.5 Where to send the application.**

The original and one copy of the application shall be filed with the FHWA's Regional Office that has jurisdiction over applicant's point of domicile (the instructions to the application provide more specific information), or at such other location as the Secretary may designate in special circumstances. A check or money order for the amount of the filing fee set forth at 49 CFR 1002.2(f)(1), payable to the Federal Highway Administration's Office of Motor Carriers in United States dollars, must be submitted.

[62 FR 15421, Apr. 1, 1997]

#### **§ 368.6 Review of the application.**

(a) Federal Highway Administration staff will review the application for correctness, completeness, and adequacy of the evidence.

(1) Minor errors will be corrected without notification to the applicant.

(2) Materially incomplete applications will be rejected.

(b) Compliance will be determined solely on the basis of the application and the safety fitness of the applicant. An employee review board will decide whether the authority sought falls under the Act, and whether and to what extent the evidence warrants a grant of the authority.

(1) If the authority sought does not require a certificate of registration, or if the evidence does not warrant a grant of the authority sought, the employee review board will deny the application in whole or in part. In the case of a full or partial denial of an application, the Federal Highway Administration will inform the applicant by letter setting forth the reasons for the denial.

(2) If the employee board grants all or part of the application, the Federal Highway Administration will issue a certificate of registration authorizing specified operations provided that applicant has demonstrated compliance with 49 CFR 366 (designation of process agent). If applicant has not complied with this requirement, the Federal Highway Administration will issue a notice stating that a certificate of registration will be issued upon such compliance. No certificate of registration shall be issued prior to compliance.

[50 FR 20773, May 20, 1985, as amended at 50 FR 40030, Oct. 1, 1985; 54 FR 52035, Dec. 20, 1989; 55 FR 47338, Nov. 13, 1990; 62 FR 15421, Apr. 1, 1997]

#### **§ 368.7 Appeals.**

A decision disposing of an application subject to this part is a final action of the Federal Highway Administration. Review of such an action on appeal is governed by the FHWA's appeal regulations in 49 CFR part 386.

[62 FR 15421, Apr. 1, 1997]

### **PART 370—PRINCIPLES AND PRACTICES FOR THE INVESTIGATION AND VOLUNTARY DISPOSITION OF LOSS AND DAMAGE CLAIMS AND PROCESSING SALVAGE**

Sec.

370.1 Applicability of regulations.

370.3 Filing of claims.

370.5 Acknowledgment of claims.

370.7 Investigation of claims.

370.9 Disposition of claims.

370.11 Processing of salvage.

AUTHORITY: 49 U.S.C. 13301 and 14706; 49 CFR 1.48.

SOURCE: 62 FR 32042, June 12, 1997, unless otherwise noted.